

# Analysis of Chilean Supreme Court rulings in medical malpractice cases, 2014-2015

## Análisis de los fallos de la Corte Suprema de Justicia de Chile en casos de responsabilidad médica, años 2014 y 2015

Raineri Bernain, Gina

Bravo Rodríguez, Lidia

Lagos Tissie, Denisse

Ciocca Gómez, Luis

**Objective:** The objective of the present study is to characterise the epidemiological and legal data on medical malpractice ruled by the Chilean Supreme Court (CSC) in the years 2014 and 2015.

**Material and method:** A search of the CSC electronic database was conducted to identify and analyse CSC rulings for criminal and civil medical malpractice cases. **Results:** A total of 110 malpractice cases were identified. The CSC received only civil cases of medical malpractices during the studied period. The average duration of the trial was 39 months. Gynaecologists faced suits more frequently than any other type of specialist. The majority of cases were associated with the public health system. More claims were associated with scheduled than with emergency care. Likewise, more claims were associated with non-surgical treatment than with surgical procedures. More than a third (39%) of the cases resulted in the patient's death. The majority of CSC rulings